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OFFICE OF PETITIONS

In re Application of :
Kim et al. :
Application No. 09/677,085 : DECISION
Filed: September 29, 2000 : ON PETITION
Atty Docket No.: 678-529 :

This is a decision on the Petition to Withdraw Holding of Abandonment Based on Failure to Receive Notice of Allowance, filed February 16, 2006. The petition is properly treated under 37 CFR 1.181(a).

The petition is granted.

The above-identified application became abandoned for failure to timely and properly reply to the Notice of Allowance and Issue Fee Due ("Notice"), mailed September 16, 2005. The Notice set a non-extendable three (3) month period for reply. No reply having been filed, this application became abandoned on December 17, 2005. A Notice of Abandonment was mailed January 24, 2006.

Applicant files this petition and asserts that the Notice was not received. With the instant petition, Petitioner has demonstrated non-receipt of the Notice by a preponderance of the evidence.

In view of the foregoing, the petition is granted. The holding of abandonment is hereby withdrawn.

No fee has been charged and none is due.

The application will be referred to Technology Center Art Unit 2661 for re-mailing of the Notice of Allowance.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3232.

Derek L. Woods
Petitions Attorney
Office of Petitions